

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

IBRAHIM JOZIN,

Defendant.

Case No. CR07-5042RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Defendant Jozin's Motion for Foreign Deposition of Jimi Jouzine [Dkt. #93].

Having considered the entirety of the records and file herein, the Court finds and rules as follows:

Defendant Jozin is charged in a two-count indictment with conspiracy to commit arson and arson. The government alleges that he conspired with two co-defendants to set fire to the Galilee Cafe, a Vancouver, Washington restaurant owned by his brother, Jimi Jouzine. Jozin has moved to take the deposition of Jimi Jouzine pursuant to Fed. R. Crim. P. 15(a). The Rule provides that "[t]he court may grant the motion because of exceptional circumstances and in the interests of justice."

Mr. Jouzine is currently living in Galilee, Israel. He self-deported to Israel after receiving notice from the Department of Homeland Security that he should report to the authorities for the purposes of being removed from the country. He is a person of interest to federal law enforcement in the arson. Therefore, he is unavailable as a witness and exceptional circumstances exist for the taking of his deposition. Furthermore,

1 it is in the interest of justice to allow his deposition because it appears that his testimony would be relevant and  
2 material to the defendant's defense. It is therefore

3 **ORDERED** that Defendant Jozin's Motion for Foreign Deposition [Dkt. #93] is **GRANTED**.

4 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing  
5 pro se.

6 Dated this 17<sup>th</sup> day of October, 2007.

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9 RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE